

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

John Ley
Clerk of Court

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November 26, 2014

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 13-14092-U
Case Style: Brian Berry, et al v. Travis Leslie, et al
District Court Docket No: 6:11-cv-01740-CEH-KRS

This Court requires all counsel to file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause.

For the purposes of the upcoming en banc rehearing in the above referenced case, the court desires for counsel to focus their briefs on the following issues:

(1) Did Deputy Travis Leslie violate the Fourth Amendment rights of Jermario Anderson, Edwyn Durant, and/or Reginald Trammon during the August 2010 raid of Strictly Skillz barbershop?

(2) Assuming Deputy Leslie violated the Fourth Amendment rights of any or all of these three plaintiffs, were those rights clearly established at the time of the raid by United States Supreme Court precedent and/or Swint v. City of Wadley, 51 F.3d 988 (11th Cir. 1995), and its progeny in light of Carroll v. Carman, ___ U.S. ___, 135 S. Ct. 348 (2014) (per curiam)?

APPELLANTS' EN BANC BRIEF SHALL BE SERVED AND FILED ON OR BEFORE MONDAY, JANUARY 05, 2015 by 5:00 p.m. APPELLEES' EN BANC BRIEF SHALL BE SERVED AND FILED ON OR BEFORE TUESDAY, FEBRUARY 03, 2015 by 5:00 p.m. Any en banc reply brief shall be filed on or before Friday, February 13, 2015 by 5:00 p.m. NO EXTENSIONS WILL BE GRANTED.

Pursuant to 11th Cir. R. 35-8, in addition to the original e-filed briefs, 20 copies of the en banc briefs are to be filed with the Clerk's Office (appellants' briefs in blue covers, appellees' briefs in red covers and any reply briefs in gray covers). NO TIME FOR MAILING SHALL BE ALLOWED. The filing of en banc amicus briefs is governed by 11th Cir. R. 35-9.

All counsel are to file 20 additional copies of each brief previously filed by them no later than 5:00 p.m., Monday, January 05, 2015. See 11th Cir. R. 35-8.

Oral argument will be conducted Tuesday, February 24, 2015 in Atlanta, Georgia. Each party

will be allotted 30 minutes per side for oral argument. Counsel will receive subsequent correspondence regarding the specific time for oral argument.

Sincerely,

JOHN LEY, Clerk of Court

Reply to: Jenifer L. Tubbs
Phone #: 404-335-6166

BR-1CIV Civil appeal briefing ntc issued